

## REMARKS

The Examiner has rejected claims 1, 4, and 10-13 under 35 U.S.C. 102(e) as being anticipated by Hochman, U.S. Patent No. 5,838,685. Claims 2, 3, 5, 8, 9 and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hochman '685 in view of Denker, U.S. Patent No. 6,404,513. Claims 6 and 7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hochman '685 in view of Denker '513 in further view of Bloomfield, U.S. Patent No. 6,025,931. Applicant respectfully traverses all rejections on the grounds that the primary reference, Hochman '685, cannot properly be cited against the present application.

The present application is a continuation of prior application 09/327204, filed June 7, 1999, which in turn was a continuation-in-part of Serial No. 09/118303, filed July 17, 1998. The cited Hochman '685 patent is not a patent granted on an application for patent **by another**...as set forth in 35 U.S.C. 102(e). The present inventor Gary Hochman is the same individual as the Gary Hochman of the '685 patent. Thus, the '685 patent **is not** a patent of "another". Hochman '685 is also unavailable as a reference under any other provision of Section 102.

As the primary reference relied upon by the Examiner was improperly cited, all rejections of the present application based on Hochman '685 are improper. It is accordingly

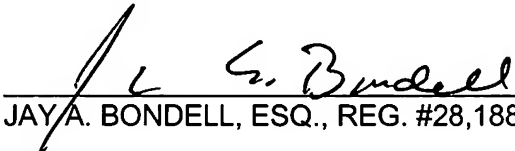
respectfully requested that the rejections be withdrawn and that the present application be passed to issue.

Respectfully submitted,

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**CERTIFICATE UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, on December 20, 2005.

Carol L. Wood, Sender

